



Texas Federal Surplus Property Program

The Texas Federal Surplus Program and Civil Rights Frequently Asked Questions

Civil Rights Office—Title VI Program

Q. What is Limited English Proficiency?

Individuals who do not speak English as their language and who have a limited speak, write, or understand English can be limited English proficient, or "LEP". These entitled language assistance with respect to a particular type of service, benefit, or encounter. Federal laws particularly applicable to language access include title VI of the Civil Rights Act of 1964, and the Title VI regulations, prohibiting discrimination based on national origin, and Executive Order 13166 issued in 2000. Many individual federal programs, states, and localities also have provisions requiring language services for LEP individuals. An Executive Order is an order given by the President for federal agencies. The LEP Executive Order (Executive Order 13166) says that people who are LEP should have meaningful access to federally conducted funded programs and activities. Our Federal Surplus Program offers assistance with any language through our state agency's Human Resource. Please contact our Human Resource telephone number at (512) 463-3433.

For more information on Executive Order 13166 please click on the following link:
<http://www.justice.gov/crt/cor/13166.php>

Q. What is a recipient of federal financial assistance?

Federal financial assistance includes grants, training, use of equipment, donations, and other assistance. Subrecipients are also covered, when federal funds are passed to a subrecipient. Recipients of federal funds range from state and local agencies, to normal organizations. A list of the types of recipients are the agencies funding them can be found under Order 12250—Coordination of Grant-related Civil Rights Statutes.

Q. What is a federally conducted activity?

All federal agencies subject to Executive Order 13166 must design and implement a federally conducted plan to ensure access for LEP individuals to all of its federally conducted programs and activities (basically, everything that it does.)

Q. What are recipients of federal funds and federal agencies required to do to meet LEP requirements?

Recipients and federal agencies are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
2. the frequency with which LEP individuals come in contact with the program;
3. the nature and importance of the program, activity, or service provided by the program to people's lives; and the resources available to the grantee/recipient or agency, and costs. As indicated above, the intent of this guidance is to find a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, or small nonprofits.

